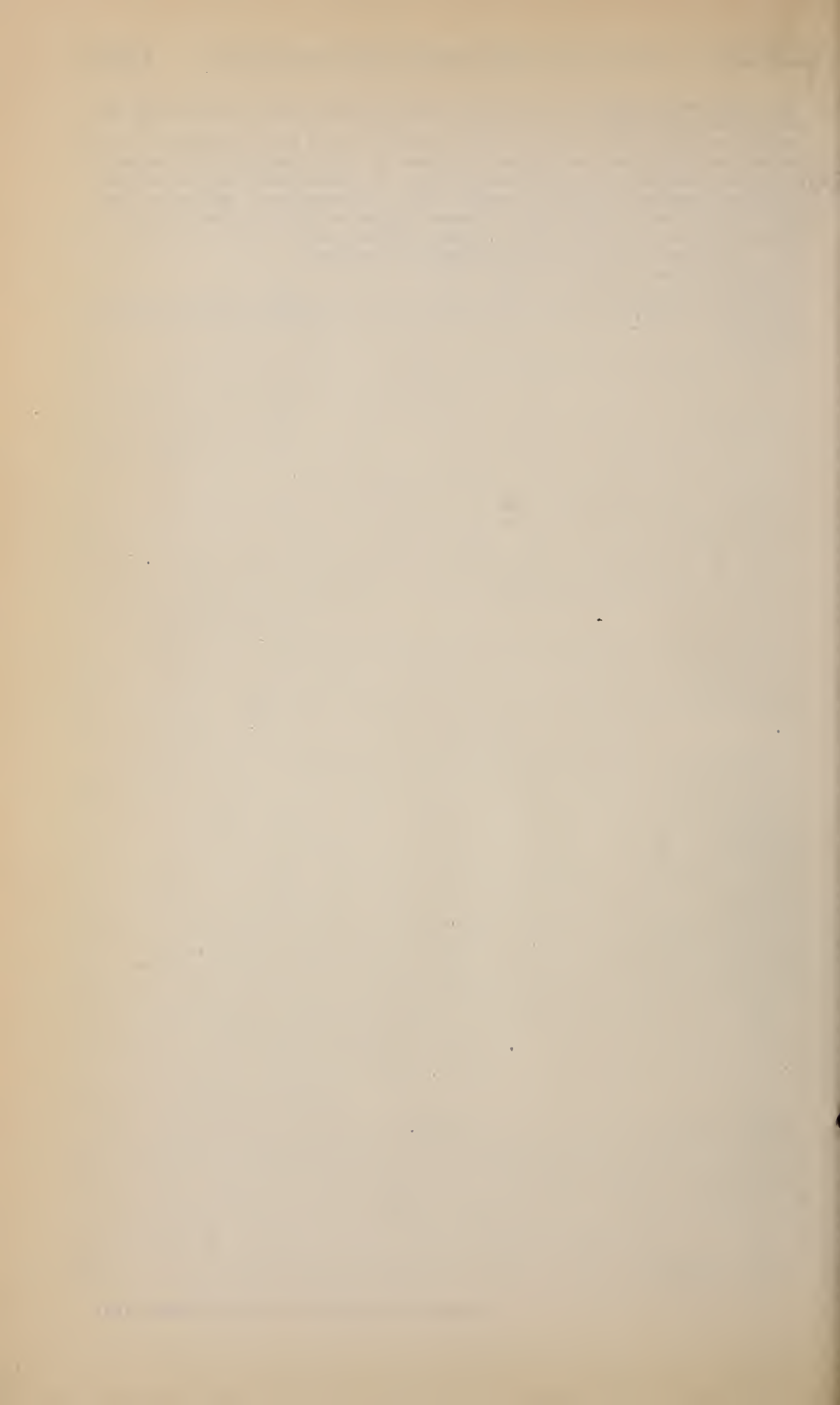


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United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS¹

INSECTICIDE AND FUNGICIDE BOARD

No. 53

N. J. 1001-1025

[Approved by the Acting Secretary of Agriculture, Washington, D. C., November 19, 1925]

NOTICES OF JUDGMENT UNDER THE INSECTICIDE ACT OF 1910

[Given pursuant to section 4 of the Insecticide Act of 1910]

1001. Misbranding of "Rex Fly Oil." U. S. v. Ira W. King,, Thomas N. King, and Joseph A. Johnson, jr. (Nashville Products Co.). Pleas of guilty. Fine and costs, \$20. (I. & F. No. 1212. Dom. No. 18336.)

On November 26, 1923, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ira W. King, Thomas N. King, and Joseph A. Johnson, jr., trading as the Nashville Products Co., Nashville, Tenn., alleging shipment by said defendants, in violation of the Insecticide Act of 1910, on or about November 10, 1922, from the State of Tennessee into the State of Kentucky, of a quantity of "Rex Fly Oil," which was a misbranded insecticide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statement, "1 Gal. Rex Fly Oil," borne on the tag attached to the can containing the article, represented that the said can contained 1 gallon of the article, whereas, the contents of the said can were not correctly stated thereon in that it contained less than 1 gallon of the said article.

Misbranding was alleged for the further reason that the article consisted partially of an inert ingredient, to wit, water, which said inert ingredient does not prevent, destroy, repel, or mitigate insects or fungi, and the name and percentage amount of the inert ingredient so present therein were not stated plainly and correctly, or at all, on any label borne on or affixed to the can containing the article, nor, in lieu thereof, were the names and percentage amounts of each and every substance or ingredient of the article having insecticidal or fungicidal properties, and the total percentage of the inert substance or substances so present therein stated plainly and correctly, or at all, on any label borne on the said can.

On May 18, 1925, the defendants entered pleas of guilty to the information and the court imposed judgment in the amount of \$20 in lieu of fine and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1002. Adulteration and misbranding of "Fly-Fly" or "Dixie Fly Oil." U. S. v. Ira W. King, Thomas N. King, and Joseph A. Johnson, jr. (Nashville Products Co.). Pleas of guilty. Fine and costs, \$20. (I. & F. No. 1211. Dom. No. 18337.)

On November 26, 1923, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against

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Ira W. King, Thomas N. King, and Joseph A. Johnson, jr., copartners, trading as Nashville Products Co., Nashville, Tenn., alleging shipment by said defendants, in violation of the Insecticide Act of 1910, on or about November 10, 1922, from the State of Tennessee into the State of Kentucky, of a quantity of "Fly-Fly," or "Dixie Fly Oil," which was an adulterated and misbranded insecticide within the meaning of said act.

Adulteration of the article was alleged in the information for the reason that the statement, "Fly-Fly This product contains hydro carbon oil, inert substance, water, a trace," borne on the label affixed to the can containing the said article, represented that it was composed of hydrocarbon oil and a trace of an inert substance, to wit, water, whereas a large amount of an inert substance, to wit, water—that is to say, a substance that does not prevent, destroy, repel, or mitigate insects—had been substituted in part for the said article, to wit, hydrocarbon oil with only a trace of water.

Misbranding was alleged for the reason that the statements, to wit, "Water, a trace," and "Fly-Fly * * * should be used in chicken houses to eradicate lice * * *," borne on the said label, were false and misleading, and by reason of the said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that they represented that the article contained only a trace of water and that the said article, when used as directed, would be effective against chicken lice, whereas, it contained a large amount of water, and, when used as directed, would not be effective against chicken lice.

Misbranding was alleged for the further reason that the statement, to wit, "1 Gal. Dixie Fly Oil," borne on the tag attached to the package containing the article, represented that the said package contained 1 gallon of the article, whereas the contents were not correctly stated on the outside of the said package in that it contained less than 1 gallon of the said article.

On May 18, 1925, the defendants entered pleas of guilty to the information and the court imposed judgment in the amount of \$20 against said defendants, in lieu of fine and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1003. Misbranding of "Milnshaw Mange Cure." U. S. v. Jules Ferond Co., Inc. Plea of guilty. Fine, \$1. (I. & F. No. 1183. Dom. No. 16879.)

On May 10, 1923, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the Jules Ferond Co., Inc., New York, N. Y., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about September 10, 1921, from the State of New York into the State of Maryland, of a quantity of "Milnshaw Mange Cure," which was a misbranded insecticide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "The Milnshaw Mange Cure is guaranteed to cure the most severe cases of both Follicular and Sarcoptic Mange, * * * Beneficial for cases of eczema and general skin diseases. * * * Directions In severe cases apply every day by rubbing a small quantity well into the skin of the dog or animal under treatment," borne on the labels affixed to the bottles containing the article, and on the cartons and pamphlets accompanying the said article, and the statements, to wit, "The Milnshaw Mange Cure. *DIRECTIONS* In severe cases apply every day by rubbing a small quantity well into the skin of the dog or animal under treatment * * * The worst skin disease is the follicular mange. * * * not only for mange, but all skin troubles * * * it has cured all my dogs troubled with skin diseases. * * * diagnosed the dog's trouble as mange," borne on the pamphlets accompanying the article, were false and misleading; and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the said article, when used as directed, would be effective in the treatment of all types and varieties of mange; would be effective in the most severe cases of both follicular and sarcoptic mange; would be beneficial for all types and varieties of eczema and other skin diseases and would be effective in the treatment of dogs for follicular and sarcoptic mange, eczema, and general skin diseases, and would cure follicular and all other types and varieties of mange and other skin diseases on dogs; and would cure all types and varieties of mange and other skin troubles on dogs

and other animals; whereas the said article, when used as directed, would not be effective for the above purposes.

At the November, 1924, term of court a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$1.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1004. Misbranding of "We-No-Nah Stock Dip." U. S. v. Dr. Koch Vegetable Tea Co. Plea of guilty. Fine, \$10. (I. & F. No. 1300. Dom. No. 19314.)

On May 19, 1925, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dr. Koch Vegetable Tea Co., a corporation, Winona, Minn., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about January 31, 1924, from the State of Minnesota into the State of Michigan, of a quantity of "We-No-Nah Stock Dip," which was a misbranded insecticide and fungicide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "For killing ticks, lice, vermin, * * * Also preventing and curing itch, mange and scab.", "For disinfecting * * * cattle sheds, poultry houses, pig pens, stables, * * * Use Dip Freely. 1 part Dip to 100 parts water for disinfecting the building when there are signs of any of above diseases. * * * Disinfect the poultry house. Mix 1 part dip to 30 parts water, spray all parts of the hen house thoroughly with spray pump, or sprinkling can. Every crack and crevice should be well drenched with the solution.", "For scabs on lambs and sheep * * * Repeat the treatment in five or six days. * * * For sheep ticks and lice * * * For lice on hogs. * * * Repeat the treatment in about one week. * * * For Hog Cholera", "For other skin diseases, such as mange, * * * For lice on cattle and horses * * * Repeat this treatment in about a week. * * * Destroy disease germs and foul odors by sprinkling solution of 1 pint dip to 5 gallons water. * * * For House cleaning, etc. Use one-half pint We-No-Nah dip to two or three gallons of water. Wash the floors with this solution before laying the carpets, thus killing moths and other insects. * * * Everyone familiar with raising poultry knows one of the hardest things to contend with is * * * mites, etc. We-No-Nah stock dip will do the business. * * * For * * * mites on poultry. Use 1 part We-No-Nah dip to 100 parts water. Put in large pail or tub, immerse the fowl in this solution ruffle the feathers well so the dip will reach the skin.", borne on the labels affixed to the cans containing the article, were false and misleading; and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the said article, when used as directed, would be effective for killing ticks, lice, and all types and varieties of vermin on animals; would be effective in preventing and curing all types and varieties of itch, mange, and scab on animals; would be effective in disinfecting cattle sheds, poultry houses, pig pens, and stables in all cases; would be effective against ticks and lice on sheep, and would, with a single treatment at the interval of one week, be effective for the control of lice on hogs; would be effective in the treatment of hog cholera; would be effective against all skin diseases other than those specified in the said label that affect animals; would be effective against other skin diseases of animals, such as mange; would, with a single repetition of the treatment in one week, be sufficient control for lice on cattle and horses; would destroy all disease germs and all foul odors; and would be effective against moths and all other insects and against poultry mites; whereas the said article, when used as directed, would not be effective for the purposes above set forth.

On May 19, 1925, a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$10.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1005. Adulteration and misbranding of "Dr. A. C. Daniels' Poultry Louse Powder." U. S. v. Dr. A. C. Daniels, Inc. Plea of nolo contendere. Fine, \$25. (I. & F. No. 1293. Dom. No. 18898.)

On November 8, 1924, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district, an information against Dr. A. C. Daniels, Inc., Boston, Mass., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about August 8, 1923, from the State of Massachusetts into the State of Rhode Island, of a quantity of "Dr. A. C. Daniels' Poultry Louse Powder," which was an adulterated and misbranded insecticide within the meaning of said act.

Adulteration was alleged in the information with respect to a portion of the product for the reason that the statements, to wit, "8.75% Dalmation Powder 1.50% Carbolic Acid 1.50% Naphthalene and not over 79% Inert Ingredients," borne on the labels affixed to certain of the cartons containing the article, represented that it contained not less than 8.75 per cent of Dalmation (pyrethrum) powder, not less than 1.50 per cent of carbolic acid and not less than 1.50 per cent of naphthalene, and not more than 79 per cent of inert substances, namely, substances that do not prevent, destroy, repel, or mitigate insects; whereas the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it contains less Dalmation (pyrethrum) powder, less carbolic acid, and less naphthalene than declared on the label, and more inert substances than so declared.

Misbranding was alleged with respect to the said portion for the reason that the above-quoted statements borne on the labels were false and misleading, and by reason of the said statements the article contained not less than 8.75 per cent of Dalmation (pyrethrum) powder, not less than 1.50 per cent of carbolic acid, and not less than 1.50 per cent of naphthalene, and not more than 79 per cent of inert ingredients; whereas, the said article contained less Dalmation (pyrethrum) powder, less carbolic acid, and less naphthalene than declared on the label, and more inert substances than so declared.

Adulteration was alleged with respect to the remainder of the product for the reason that the statements, to wit, "25% Nicotine in powdered tobacco, 4½% Naphthalene, 2½% Carbolic Acid, and not more than 84% of inert ingredients," borne on certain of the cartons containing the article, represented that it contained not less than 25 per cent of nicotine, not less than 4½ per cent of naphthalene, and not less than 2½ per cent of carbolic acid, and not more than 84 per cent of inert ingredients; whereas the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it contained less nicotine, less naphthalene, and less carbolic acid than declared on the label, and more inert ingredients than so declared.

Misbranding was alleged with respect to the said remainder of the product for the reason that the statements, to wit, "25% Nicotine in powdered tobacco, 4½% Naphthalene, 2½% Carbolic Acid, and not more than 84% of inert ingredients," borne on certain of the said cartons were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article contained not less than 25 per cent of nicotine, not less than 4½ per cent of naphthalene, not less than 2½ per cent of carbolic acid, and not more than 84 per cent of inert ingredients; whereas the said article contained less nicotine, less naphthalene, and less carbolic acid than declared on the label, and more inert ingredients than so declared.

Misbranding was alleged for the further reason that the statements, to wit, "Louse Powder—An Aid in treating certain lice and mites on poultry, birds and animals" and "For Dogs and Cats—This Poultry Powder will be found useful in repelling fleas on dogs and cats. * * * For Home Use—This Powder can be used throughout the house as an aid in ridding premises of moths and certain bugs from furniture, carpets, rugs and clothing. It should be liberally sprinkled over the floors and carpets, especially at house-cleaning time. * * * For Lice on Horses, Cattle and Hogs—Apply the powder freely rubbing it in well into the skin, and the same use may be made for mules, calves and colts.", borne on certain of the said cartons, were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article, when used as directed, would be an effective remedy against mites on poultry and birds; would be an effective remedy against fleas on dogs and cats, and against moths and certain bugs in furniture, carpets, rugs, and clothing; and would be effective in the control of lice on horses, cattle, hogs, mules, calves, and colts; whereas the said article, when used as directed, would not be effective for the purposes above set forth.

Misbranding was alleged with respect to a portion of the product for the reason that it consisted partially of inert substances, namely, substances other

than nicotine, sulphur, naphthalene, carbolic acid, and pyrethrum powder, and the name and percentage amount of each and every one of the inert substances or ingredients so present therein were not stated plainly and correctly on the labels affixed to the cartons containing the said portion of the article; nor, in lieu thereof, were the name and percentage amount of each and every substance or ingredient of the article having insecticidal properties, and the total percentage of inert substances or ingredients so present in the article, stated plainly and correctly on the said labels.

On March 2, 1925, a plea of *nolo contendere* to the information was entered on behalf of the defendant company and the court imposed a fine of \$25.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1006. Adulteration and misbranding of "Creowline Disinfectant" and misbranding of "Coal Tar Dip and Disinfectant." U. S. v. Jacob R. Fain (The Owl Disinfectant Co.). Collateral of \$20 forfeited. (I. & F. No. 1289. Dom. Nos. 19353, 19390.)

On December 3, 1924, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District of Columbia, holding a district court, an information against Jacob R. Fain, trading as The Owl Disinfectant Co., Washington, D. C., alleging sale by the said defendant in the District of Columbia, on or about September 19, 1923, of a quantity of "Creowline Disinfectant," and on or about March 5, 1924, of a quantity of "Coal Tar Dip and Disinfectant," which were fungicides within the meaning of the Insecticide Act of 1910, and the former of which was adulterated and misbranded and the latter of which was misbranded in violation of said act.

Adulteration of the "Creowline Disinfectant" was alleged in the information for the reason that the statement, to wit, "Not over 8% Water," borne on the label affixed to the can containing the article purported that its standard and quality were such that it contained water in the proportion of not more than 8 per cent, whereas its strength and purity fell below the professed standard and quality under which it was sold, in that it contained water in a proportion greater than 8 per cent.

Misbranding of the said "Creowline Disinfectant" was alleged for the reason that the statement, to wit, "Not over 8% Water," borne on the labels, was false and misleading and by reason of the said statement the article was labeled so as to deceive and mislead the purchaser, in that it represented that the article contained not more than 8 per cent of water, whereas it contained water in a proportion greater than 8 per cent.

Misbranding was alleged with respect to the said "Creowline Disinfectant" and the said "Coal Tar Dip and Disinfectant" for the reason that the statement, to wit, "1 Gal." borne on the labels affixed to the cans containing the respective articles was false and misleading, and by reason of the said statement the articles were labeled and branded so as to deceive and mislead the purchaser, in that it represented that the contents of the said cans were, in terms of measure, one gallon of "Creowline Disinfectant" or "Coal Tar Dip and Disinfectant," as the case might be, whereas the contents of the said cans were not correctly stated on the outside thereof, in that the said cans contained less than 1 gallon of the respective articles.

On December 3, 1924, the defendant having failed to enter an appearance, the \$20 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1007. Misbranding of "Pinosol." U. S. v. Brewer & Co., Inc. Plea of *nolo contendere*. Fine, \$25. (I. & F. No. 1268. Dom. No. 18050.)

On August 20, 1924, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against Brewer & Co., a corporation, Worcester, Mass., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about March 26, 1923, from the State of Massachusetts into the State of New Jersey, of a quantity of "Pinosol," which was a misbranded insecticide and fungicide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statements, to wit:

(Bottle) " * * * very effective as a germicide * * * A more effective disinfectant than carbolic acid * * * For cleansing wounds, abscesses and ulcers, use one teaspoonful in one quart of water. For disinfecting the hands and preparing the field of operation, one tablespoonful in one quart of water. For sterilizing instruments, rubber goods, bed pans and sick room utensils, and for disinfecting closets, drains and excreta, such as sputum, urine and feces, use one tablespoonful in one quart of water."

(Circular) "A useful household germicide for * * * destroying moths * * * and other vermin. Superseding carbolic acid as a germicide * * * Disinfectants made from cresols in conjunction with resin soaps and displaying an excess amount of alkali are rapidly being replaced by the more efficient * * * pine oil disinfectant Pinosol. The United States Public Health Service and the Boston Health Commission in their many investigations have proven conclusively that pine oil is far superior to carbolic acid in its germicidal power. Useful in purifying the air in sick room. For disinfecting bed linen, towels and sterilizing surgical instruments. For disinfecting closets, out buildings, kennels, sink drains, sputum and other exudations. A useful household germicide * * * Recommended as a gargle, spray or nasal douche * * * Pinosol * * * may be used in treating foul ulcers, suppurating areas, wounds and local infections in gynecology and obstetrics * * * For the hands and in preparation for surgical operations Four teaspoonful in one quart of water. For * * * sterilizing instruments, rubber appliances, bed pans, and sick room requisites, disinfecting closets, toilets, sink drains, out buildings, sputum, urine, etc. Four teaspoonsful in one quart of water. As a douche, vaginal or uterine irrigation. One teaspoonful in two quarts of water. As a gargle, spray or nasal douche. Ten drops in half glass of water."

borne on the labels affixed to the bottles containing the article and in the accompanying circular, as the case might be, were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article would be very effective as a germicide for general use and would be a more effective disinfectant than carbolic acid; that it had superseded carbolic acid as a germicide; that disinfectants made from cresols in conjunction with resin soaps were being replaced by the said article; that it was more efficient than cresol disinfectants; that the United States Public Health Service and the Boston Health Commission had proven conclusively that pine oil is far superior to carbolic acid as a germicide under all conditions; that it would be effective in purifying the air in sick rooms; and that the said article, when used as directed, would cleanse wounds, abscesses, and ulcers; would disinfect the hands and the field of operation; would sterilize instruments, rubber goods, bedpans, and sick-room utensils; would disinfect closets, drains and excreta, such as sputum, urine and feces; would be an effective remedy against moths and all other vermin; would disinfect bed linen, towels, closets, toilets, out buildings, kennels, sink drains, sputum, urine, and other exudations; would sterilize surgical instruments; would be a useful household germicide; would act as an effective gargle, spray, or nasal douche; would be effective in treating foul ulcers, suppurating areas, wounds, and local infections in gynecology and obstetrics; would be an efficient disinfectant for the hands and in the preparation for surgical operations; would sterilize instruments, rubber appliances, bedpans, and sick-room requisites, and would act as an effective douche or vaginal or uterine irrigation; whereas the said article would not be very effective as a germicide for general use and would not be a more effective disinfectant than carbolic acid, it did not supersede carbolic acid as a germicide, disinfectants made from cresols in conjunction with resin soaps were not being replaced by the said article, it was not more efficient than cresol disinfectants, and the United States Public Health Service and the Boston Health Commission had not proven conclusively that pine oil is far superior to carbolic acid as a germicide under all conditions and it would not be useful in purifying the air in sick rooms, and the said article, when used as directed, would not be effective for the purposes above set forth.

On March 9, 1925, a plea of nolo contendere to the information was entered on behalf of the defendant company and the court imposed a fine of \$25.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1008. Adulteration and misbranding of "Sterlingworth Powdered Tobacco." U. S. v. Sterling Chemical Co. Plea of nolo contendere. Fine, \$10. (I. & F. No. 1243. Dom. No. 17148.)

On April 29, 1924, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sterling Chemical Co., a corporation, Cambridge, Mass., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about March 14, 1922, from the State of Massachusetts into the State of Connecticut, of a quantity of "Sterlingworth Powdered Tobacco," which was an adulterated and misbranded insecticide within the meaning of said act.

Adulteration of the article was alleged in the information, for the reason that the statement, to wit, "Powdered Tobacco," borne on the labels affixed to the cartons containing the said article represented that its standard and quality were such that it consisted entirely of powdered tobacco, whereas the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it did not consist entirely of powdered tobacco, but did consist of powdered tobacco and a large amount of sand and dirt.

Adulteration was alleged for the further reason that the statement, to wit, "Powdered Tobacco," borne on the said labels represented that the article consisted entirely of powdered tobacco, whereas it did not so consist, but other substances, to wit, sand and dirt, had been substituted in part for powdered tobacco, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Powdered Tobacco" and "An Effective and Cheap Remedy For many * * * Worms, * * * and Spiders attacking cabbages, potatoes, plants," borne on the labels, were false and misleading, and by reason of the said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that they represented that the article was powdered tobacco, and that, when used as directed, it would be an effective remedy against many worms and many spiders that attack cabbages, potatoes, and other plants, whereas the said article was not powdered tobacco but was a mixture of powdered tobacco, sand, and dirt, and when used as directed it would not be an effective remedy against many worms and many spiders that attack cabbages, potatoes, and other plants.

On March 23, 1925, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1009. Misbranding of "Rex Pine-O-La." U. S. v. Joseph A. Johnson, jr., Ira W. King, and Thomas N. King (Nashville Products Co.). Pleas of guilty. Fine and costs, \$20. (I. & F. No. 1241. Dom. No. 18327.)

On February 29, 1924, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph A. Johnson jr., Ira W. King, and Thomas N. King, copartners, trading as Nashville Products Co., Nashville, Tenn., alleging shipment by said defendants, in violation of the Insecticide Act of 1910, on or about November 10, 1922, from the State of Tennessee into the State of Kentucky, of a quantity of "Rex Pine-O-La," which was a misbranded insecticide and fungicide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "1 gal.," borne on the tag attached to the can containing the article, represented that the said can containing 1 gallon of the said article, whereas the contents of the said can were not correctly stated on the outside thereof, in that it contained less than 1 gallon of the said article.

Misbranding alleged for the further reason that the statements, to wit, "A soluble Pine Oil Disinfectant," * * * for general disinfecting cleaning purposes has no superior. Directions.—A tablespoon or so to a gallon of water for mopping, scrubbing, etc., does the work. A small quantity left in the bowl of closet over night, and in water when Bath Room is mopped, or sprinkled where Ants, Roaches and other bugs congregate will * * * thoroughly disinfect the premises" and "A small quantity left in bowl of closet over night, and in water when bath room floor is mopped, or sprinkled

where ants, roaches and other bugs congregate will exterminate them * * *," borne on the label affixed to the can containing the article, were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article was a product made of pine oil, an emulsifying agent and water; that it would be suitable for general disinfecting purposes, and, when used as directed; would be an efficient disinfectant; would thoroughly disinfect the premises in and about the closet and bath room and where ants, roaches and other bugs congregate; and would be an effective remedy against and would exterminate ants, roaches, and all other bugs; whereas the said article was not made of pine oil, an emulsifying agent and water, but was made of crude pine or rosin distillate, soap, and water; it would not be suitable for general disinfecting purposes; and the said article, when used as directed, would not be an efficient disinfectant; would not thoroughly disinfect the premises in and about the closet and bath room and where ants, roaches, and other bugs congregate; and would not be an effective remedy against and would not exterminate ants, roaches and all other bugs.

Misbranding was alleged for the further reason that the article consisted partially of an inert substance, to wit, water, which said inert substance does not prevent, destroy, repel, or mitigate insects of fungi, and the name and percentage amount of the said substance so present therein were not stated plainly and correctly, or at all, on any label borne on or affixed to the can containing the article, nor, in lieu thereof, were the names and percentage amounts of each and every substance or ingredient of the article having insecticidal or fungicidal properties, and the total percentage of inert substances of ingredients so present therein stated plainly and correctly, or at all, on any label affixed to the said can.

On May 18, 1925, the defendants entered pleas of guilty to the information and the court imposed judgment against said defendants in the amount of \$20 in lieu of fine and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1010. Adulteration and misbranding of "Rex Insect Powder," and "Dixie Insect Powder." U. S. v. Joseph A. Johnson, jr., Ira W. King, and Thomas N. King (Nashville Products Co.). Pleas of guilty. Fine and costs, \$20. (I. & F. No. 1225. Dom. Nos. 18341, 18342.)

On November 26, 1923, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph A. Johnson, jr., Ira W. King, and Thomas N. King, copartners, trading as Nashville Products Co., Nashville, Tenn., alleging shipment by said defendants, in violation of the Insecticide Act of 1910, on or about November 10, 1922, from the State of Tennessee into the State of Kentucky, of quantities of products labeled, respectively, "Rex Insect Powder" and "Dixie Insect Powder," which were adulterated and misbranded insecticides within the meaning of said act.

Adulteration of the articles was alleged in the information for the reason that the statement "Insect Powder," borne on the labels affixed to the cans containing the respective articles, represented that they consisted entirely of insect powder, that is to say, powdered pyrethrum flower tissues, whereas the strength and purity of the articles fell below the professed standard and quality under which they were sold, in that they did not consist entirely of powdered pyrethrum flower tissues, but did consist of a mixture of insect powder, siliceous material, iron oxide, aluminum oxide, lead chromate, calcium and magnesium compounds, and sugars.

Adulteration was alleged for the further reason that other substances, to wit, siliceous material, iron oxide, aluminum oxide, lead chromate, calcium and magnesium compounds and sugars had been substituted in part for insect powder, which the articles purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Insect Powder," borne on the said labels, was false and misleading, and by reason of the said statement the articles were labeled so as to deceive and mislead the purchaser, in that it represented that the said articles consisted of insect powder, whereas they did not consist of insect powder, but did consist of a mixture of insect powder and other substances.

Misbranding was alleged for the further reason that the statement, to wit, "3½ lb", borne on the tags attached to the cans containing the respective articles, represented that the said cans contained 3½ pounds of the said articles, whereas the contents of the cans were not correctly stated on the outside thereof, in that they contained less than 3½ pounds of the respective articles.

Misbranding was alleged for the further reason that the articles consisted partially of inert substances, to wit, substances other than insect powder, which said inert substances do not prevent, destroy, repel, or mitigate insects, and the name and percentage amount of each and every one of the said inert substances so present therein were not stated plainly and correctly, or at all, on any label borne on or affixed to the cans containing the respective articles, nor, in lieu thereof, were the names and percentage amounts of each and every substance or ingredient of the articles having insecticidal properties, and the total percentage of the inert substance or ingredients so present therein stated plainly and correctly, or at all, on any label borne on said cans.

On May 18, 1925, the defendants entered pleas of guilty to the information and the court imposed judgment against said defendants in the amount of \$20 in lieu of fine and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1011. Misbranding of "Rex Stock Dip and Disinfectant." U. S. v. Ira W. King, Thomas N. King, and Joseph A. Johnson, jr. (Nashville Products Co.). Pleas of guilty. Fine and costs, \$20. (I. & F. No. 1213. Dom. No. 18334.)

On November 26, 1923, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ira W. King, Thomas N. King, and Joseph A. Johnson, jr., copartners, trading as Nashville Products Co., Nashville, Tenn., alleging shipment by said defendants, in violation of the Insecticide Act of 1910, on or about November 10, 1922, from the State of Tennessee into the State of Kentucky, of a quantity of "Rex Stock Dip and Disinfectant," which was a misbranded insecticide and fungicide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "For horses, cattle, hogs, and sheep * * *

* * * ticks are present, double the strength by adding another gallon of Rex Stock Dip to solution. This will relieve mange, scab or other skin diseases * * *" and "To prevent cholera * * *," borne on the label affixed to the can containing the said article, were false and misleading, in that the said statements represented that the article, when used as directed, would be effective against all types and varieties of ticks that infest cattle; would be effective against all types and varieties of mange on cattle, horses, hogs, and sheep; would be effective against all types and varieties of scab on horses, cattle, and hogs and against all skin diseases other than mange and scab on horses, cattle, and sheep; and that it would prevent cholera; whereas, the said article, when used as directed, would not be effective for the above purposes.

Misbranding was alleged for the further reason that the article consisted partially of an inert substance, to wit, water, which said inert substance does not prevent, destroy, repel, or mitigate insects or fungi, and the name and percentage amount of the said inert substance so present therein were not stated plainly and correctly, or at all, on any label affixed to the can containing the article, nor, in lieu thereof, were the names and percentage amounts of each and every substance or ingredient of the article having insecticidal or fungicidal properties, and the total percentage of the inert substance or substances so present therein stated plainly and correctly, or at all, on any label affixed to the said can.

On May 18, 1925, the defendants entered pleas of guilty to the information and the court imposed judgment against said defendants in the amount of \$20 in lieu of fine and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1012. Misbranding of "Dr. Johnson's Mange and Eczema." U. S. v. Samuel K. Johnson (New York Veterinary Hospital). Plea of guilty. Fine, \$50. (I. & F. No. 1060. Dom. No. 16141.)

On February 8, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in

the District Court of the United States for said district, an information against Samuel K. Johnson, trading and doing business under the name and style of the New York Veterinary Hospital, New York, N. Y., alleging shipment by said defendant, in violation of the Insecticide Act of 1910, on or about October 28, 1920, from the State of New York into the State of Rhode Island, of a quantity of "Dr. Johnson's Mange and Eczema," which was a misbranded insecticide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, (Bottle) "12% Alcohol * * * Dr. Johnson's Mange and Eczema * * * Directions. Shake well before using. Apply with friction to parts affected, once daily for 3 days, allow to remain on 4th day and wash off 5th day. Repeat in one week if not entirely cured". (Bottle and Carton) "Dr. Johnson's Mange and Eczema * * * A nonpoisonous preparation free from * * * noxious drugs. * * * A * * * blending of medicines which experience has proven to be the best radical cure for these troublesome diseases," (Circular) "Treatment.—From the fact that mange is often mistaken for eczema, and vice versa, we have compounded a formula which will meet the requirements of medication in either case. This formula, or combination of drugs, is contained in our Dr. Johnson's Mange and Eczema combined with the internal treatment," borne on the labels affixed to the bottles containing the article, on the cartons containing the said bottles, or in the accompanying circular, as the case might be, were false and misleading, and by reason of the said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that they represented that the article contained not more than 12 per cent of alcohol, and that the said article, when used as directed and in connection with certain pills accompanying the article, would be effective in the treatment of all types and varieties of mange and eczema on dogs, that it contained nonpoisonous substances and was free from noxious drugs; whereas it contained more than 12 per cent of alcohol: the said article, when used as directed and in connection with the said pills, would not be effective in the treatment of all types and varieties of mange and eczema on dogs; it did contain poisonous substances, and it was not free from noxious drugs.

Misbranding was alleged for the further reason that the statement, to wit, "Eight Fluid Ounces," borne on the said cartons, represented that the contents of each of the bottles were, in terms of measure, 8 fluid ounces of the said article; whereas the contents of the said bottles were not correctly stated on the outside of each of the packages containing the article, in that the contents of each of the said bottles were, in terms of measure, less than 8 fluid ounces.

Misbranding was alleged for the further reason that the article contained in the bottles consisted partially of inert substances, to wit, water and gypsum, and the pills contained in small boxes accompanying the article consisted partially of inert substances, when used as directed, to wit, sugar, sulphur, sodium bicarbonate, an iodine and free iodine, and the name and percentage amount of each and every one of the said inert substances or ingredients so present in the articles were not stated plainly and correctly on each or any label, affixed to each or any of the bottles, cartons, or boxes, as the case might be, containing the said articles; nor, in lieu thereof, were the names and percentage amounts of each and every substance or ingredient of the articles having insecticidal properties, and the total percentage of the said inert substances or ingredients so present therein stated plainly and correctly on each or any label, affixed to each or any of the said bottles, cartons, or boxes.

On February 11, 1925, the defendant entered a plea of guilty to the information and the court imposed a fine of \$50.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1013. Misbranding of "Lime and Sulphur Solution." U. S. v. Devoe & Reynolds Co., Inc. Plea of guilty. Fine, \$20 and costs. (I. & F. No. 1222. Dom. Nos. 16960, 17774.)

On February 18, 1924, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against Devoe & Reynolds Co., Inc., a corporation, trading at Kansas City, Mo., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about March 18, 1921, from the State of Missouri into the State of Ohio,

and on or about May 16, 1922, from the State of Missouri into the State of Nebraska, of quantities of "Lime and Sulphur Solution," which was a misbranded insecticide and fungicide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Gallon," impressed on the cans containing the said article, represented that each of said cans contained 1 gallon of the article, whereas the contents of each of said cans were not correctly stated on the outside thereof, in that they contained less than 1 gallon of the said article.

On June 18, 1925, a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$20.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1014. Misbranding of "Pom's Golden Wonder." U. S. v. Three Dozen Bottles of "Pom's Golden Wonder." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 1277. S. No. 150.)

On June 3, 1924, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 3 dozen bottles of "Pom's Golden Wonder." It was alleged in the libel that the article had been shipped by The I. A. Pommier Co., Topeka, Kans., on or about November 26, 1923, from the State of Kansas into the State of Arkansas, and that having been so transported it remained unsold at Fort Smith, Ark., and that it was a misbranded insecticide within the meaning of the Insecticide Act of 1910.

Misbranding of the article was alleged in the libel for the reason that the statements, to wit, (Cartons and bottles) "Given in the drinking water, milk, or food. Rids fowl of lice, mites, blue-bugs, stick-tights, fleas and other blood-sucking insect pests. * * * Pom's Golden Wonder, when given according to directions will give the best satisfaction for which it is intended, to rid fowl of lice and mites." (Cartons) "One-half teaspoonful to each gallon of water. Lice will disappear quicker than mites and blue-bugs, because most of the mite family live in the hen house and attack fowls on the roosts, so it takes longer to clear them out. Four or five days treatment twice a month is sufficient to destroy these parasites and keep them away permanently * * * Give Pom's Golden Wonder to your flock. Free them of lice." (Bottles) "One-half teaspoonful to the gallon of water. Four or five days' treatment Twice a month is usually sufficient to rid fowls of lice and mites." (Circular) "Pom's Golden Wonder rids poultry of lice and mites. Given in drinking water or food * * * Pom's Golden Wonder is a simple, harmless compound and will give the best of satisfaction for which it is intended, to rid the fowls of lice and mites * * * After giving Pom's Golden Wonder three or four days the lice and mites leave the fowls and go to the nests, roosts and hen-house * * * Pom's Golden Wonder will rid the fowls of lice and mites without the handling of the fowls * * * But we do guarantee Pom's Golden Wonder to rid the fowls of lice and mites * * * We have been using your Golden Wonder with our flock of White Leghorns and found it all right as a * * * lice remover * * * Moulting hens are ready prey for roup and other fall diseases. When weakened by the attacks of lice and mites they are more so. Pom's Golden Wonder should be given to tone them up and free them of lice during the moulting season. * * * Successful Hatching—Fowls leave the nest and often times die while setting due to the ravage attacks of lice and mites. Pom's Golden Wonder should be given in midwinter. * * * I used Pom's Golden Wonder with the best of satisfaction for bady chicks and for keeping fowls free of lice and mites. Pom's Golden Wonder should be given three or four days before spraying the hen house as it runs the lice off the chickens * * * My chickens were infested with big ticks; I tried for three days to get rid of them. I used Pom's Golden Wonder twice. They immediately left the fowls * * * as there are more baby chicks die from the ravage attacks of lice and mites than from disease; that's why Pom's Golden Wonder helps save baby chicks," borne on the labels affixed to the cartons and bottles containing the article and in the accompanying circular, as the case might be, were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article, when used as directed, would be an effective remedy against lice, mites, blue-bugs, stick-tights, fleas, and all other blood-sucking insect pests, and against lice, mites,

and blue-bugs on fowls, would rid fowls of lice and mites, would run lice off the chickens, and would be an effective remedy against poultry ticks and against lice and mites on baby chicks; whereas the said article, when used as directed, would not be effective for the purposes above set forth.

Misbranding was alleged for the further reason that the article consisted entirely of inert substances or ingredients, namely, substances that do not prevent, destroy, repel, or mitigate insects, when used as directed, and the name and percentage amount of each and every one of the said inert substances or ingredients so present therein were not stated plainly and correctly on each or any label borne on or affixed to the bottles or cartons containing the said article.

On February 4, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1015. Adulteration and misbranding of "Calispray Garden Dust No. S2" and "Calispray Dust No. 65." U. S. v. California Sprayer Co. Plea of guilty. Fine, \$300. (I. & F. No. 1309. Dom. Nos. 18780, 19204.)

On December 29, 1924, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the California Sprayer Co., a corporation, Los Angeles, Calif., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about April 30, 1923, from the State of California into the State of Pennsylvania, of a quantity of "Calispray Garden Dust No. S2," and on or about May 4, 1923, from the State of California into the State of Oregon, of a quantity of "Calispray Dust No. 65," the former of which was an adulterated and misbranded insecticide and fungicide and the latter of which was an adulterated and misbranded fungicide within the meaning of said act.

Adulteration of the articles was alleged in the information for the reason that the statements, "Copper (from dehydrated copper sulphate) not less than 8.0%" and "Copper (from dehydrated copper sulphate) Not less than 6.0%", borne on the labels affixed to the cans containing the respective articles, represented that their standard and quality were such that they contained copper in the proportion of not less than 8 per cent. or 6 per cent, as the case might be; whereas their strength and purity fell below the professed standard and quality under which they were sold, in that they contained copper in proportions less than declared on the labels.

Misbranding was alleged for the reason that the above-quoted statements appearing on the respective labels were false and misleading, and by reason of the said statements the articles were labeled so as to deceive and mislead the purchaser, in that they represented that the articles contained copper in the proportion of not less than 8 per cent. or 6 per cent, as the case might be; whereas the said articles contained less copper than declared on the labels.

Misbranding was alleged for the further reason that the articles consisted partially of inert substances, and the names and percentage amounts of each and every inert substance or ingredient therein were not stated plainly and correctly on the labels affixed to the cans containing the respective articles; nor, in lieu thereof, were the names and percentage amounts of each substance or ingredient of the respective articles having insecticidal or fungicidal properties, and the total percentage of the inert substances or ingredients so present therein stated plainly and correctly on the said labels.

On February 2, 1925, a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$300.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1016. Misbranding of "We-No-Nah Louse Killer." U. S. v. Dr. Koch Vegetable Tea Co. Plea of guilty. Fine, \$10. (I. & F. No. 1335. Dom. No. 19315.)

On May 19, 1925, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dr. Koch Vegetable Co., a corporation, Winona, Mich., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about January 31, 1924, from the State of Minnesota into the State of Michigan, of a quantity

of "We-No-Nah Louse Killer," which was a misbranded insecticide and fungicide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Disinfectant * * * a thorough disinfectant * * * for cellars, chicken coops, stables, outhouses, closets, privy vaults, etc. * * * As a Disinfectant * * * Sprinkle freely about the premises every other day until desired result is obtained." (Translated from German) "and a disinfecting agent * * * It is also to be used as a disinfecting agent for cellars, privy and hen houses, etc. * * *" (Translated from Norwegian) "Also a good remedy for bad and unhealthy odors * * * It will also remove bad and unhealthy odors from cellars, chicken coops, etc." "For killing lice, fleas or ticks on dogs * * * For destroying lice or insects on plants * * * Specially prepared * * * for killing lice or fleas on dogs * * * destroys moths, bed-bugs, cabbage worms, all kinds of plant insects * * * To Kill Lice On Poultry * * * For Young Chicks—Dust the mother hen and place where they roost. For Dogs.—With one hand sift liberally and with the other stroke opposite to the way the hair lies so that powder will get to the skin where fleas trouble. * * * For Insects on Melon, Squash, or other Vines, Rose Bushes, Cabbage Worms, etc.—Dust powder on while leaves are still slightly damp from morning dew. Also sprinkle powder around the stems and on ground where vines lie." (Translated from German) "It exterminates moths, bed-bugs, cabbage worms and all kinds of plant vermin as well as lice and fleas on poultry and dogs * * * For plants—Dust the plants while they are yet wet with dew. * * *" (Translated from Norwegian) "Kills lice and fleas on poultry, dogs * * * Kills moths, bed bugs, cabbage worms and all kinds of plant insects. * * * For plants—Sprinkle the powder over the plant while it is still wet with dew," borne on the labels affixed to the packages containing the article, were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the said article, when used as directed, would act as a disinfectant in and for cellars, chicken coops, hen houses, stables, outhouses, closets, privy vaults, etc.; would be a good remedy for, and would remove all bad and unhealthy odors in, cellars, chicken coops, etc.; would be an effective remedy against fleas, ticks, and all lice on dogs, and against lice and all other insects or vermin on plants; would be an effective remedy against, and would exterminate, moths, bedbugs, cabbage worms, and all kinds of plant insects, lice on young chicks, and all insects on melon, squash, and other vines, rosebushes, and cabbages and all other insects on plants that might be included in the abbreviation, etc., and against fleas on poultry; whereas the said article, when used as directed, would not be effective for the purposes above set forth.

Misbranding was alleged for the further reason that the article consisted partially of inert substances or ingredients, to wit, substances other than naphthalene and sulphur, namely, substances that do not prevent, destroy, repel, or mitigate insects or fungi, and the name and percentage amount of each of the said inert substances so present in the article were not stated plainly and correctly on the labels affixed to the package containing the said article, nor, in lieu thereof, were the name and percentage amount of each ingredient of the article having insecticidal and fungicidal properties, and the total percentage of the inert substances or ingredients so contained in the article stated plainly and correctly on the said labels.

On March 19, 1925, a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$10.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1017. Adulteration and misbranding of "Mosquitone." U. S. v. McKesson & Robbins, Inc. Plea of guilty. Fine, \$1. (I. & F. No. 1360. Dom. No. 19960.)

At the July, 1925, term of the United States District Court within and for the Southern District of New York, the United States attorney for said district court, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against McKesson & Robbins, Inc., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about May 2, 1924, from the State of New York into the State of Tennessee, of a quantity of "Mosquitone," which was an adulterated and misbranded insecticide within the meaning of said act.

Adulteration of the article was alleged in the information for the reason that the statement, to wit, "Inert Matter Water 10%", borne on the labels affixed to the bottles and cartons containing the said article, represented that it contained not more 10 per cent of water and that it contained no inert ingredients in addition to water; whereas the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it contained more than 10 per cent of water and contained inert ingredients in addition to water.

Misbranding was alleged for the reason that the statement, to wit, "Inert Matter Water 10%," borne on the bottles and cartons, and the statement, to wit, "Mosquitone contains a mosquito repelling ingredient which is odorless and therefore does not need the addition of strong oils like citronella," borne on the labels of the said cartons, were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article contained not more than 10 per cent of water, that it contained no inert ingredients in addition to water, and that it contained an odorless, repelling ingredient, and did not depend upon strong odored oils like citronella for its efficacy; whereas it contained more than 10 per cent of water, it contained inert ingredients in addition to water, it did not contain any odorless, repelling ingredients, and did depend upon strong odored oils for its efficacy.

Misbranding was alleged for the further reason that the article consisted partially of inert substances, to wit, water, alcohol, and soap, i. e., substances that do not prevent, destroy, repel, or mitigate insects, and the name and percentage amount of each and every one of the said inert ingredients so present therein were not stated plainly and correctly on the label affixed to each of the bottles or cartons containing the article, nor, in lieu thereof, were the name and percentage amount of each and every substance or ingredient of the article having insecticidal properties, and the total percentage of the inert substances or ingredients so present therein stated plainly and correctly on the labels affixed to the said bottles or cartons.

On July 20, 1925, a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$1.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1018. Misbranding of "Lice Tabs." U. S. v. Eldred G. Brewick (Lice-Tab Laboratories). Plea of guilty. Fine, \$25 and costs. (I. & F. No. 1350. Dom. Nos. 19673, 19705.)

On June 16, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Eldred G. Brewick, trading as the Lice-Tab Laboratories, Chicago, Ill., alleging shipment by said defendant, in violation of the Insecticide Act of 1910, on or about April 26, 1924, from the State of Illinois into the State of Missouri, and on or about May 13, 1924, from the State of Illinois into the State of Michigan, of quantities of "Lice Tabs," which was a misbranded insecticide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "To Be Used In Drinking Water Only DIRECTIONS—One tablet should be placed in each gallon of fowl's drinking water. The water should be changed at least once a day. In other words do not allow stale water to remain in the pan the second day. In so far as possible keep all other water away from fowls. These tablets have at no time proved harmful to chickens. Use one tablet per gallon for baby chickens and the two tablets per gallon for the large chickens. The minerals contained in these tablets cause the fowls to grow faster. Will not affect flavor of eggs or meat. At all times roosts and coops should be kept clean as possible and of course well ventilated. Directions should be carefully followed. These tablets may also be used beneficially for cattle, horses, sheep, dogs, cats—in fact any domestic animals. Distributed by Lice-Tab Laboratories 845 Wabash Ave. Chicago, Ill. Each Tablet Contains 3 Grains Calcium Sulphide $\frac{1}{2}$ Gr. Starch $\frac{1}{4}$ Gr. Glucose," borne on the labels affixed to the packages containing the article, were false and misleading, and by reason of the said statements the article was labeled and branded so as to deceive and mislead the purchaser, in that they represented that the said article, when used as directed, would be an effective remedy against chicken lice, and would be an effective control for lice on cattle, horses, sheep, dogs, cats, and any other domestic animals; whereas the

said article, when used as directed, would not be an effective remedy against chicken lice, and would not be an effective control for lice on cattle, horses, sheep, dogs, cats, and any other domestic animals.

Misbranding was alleged for the further reason that the article consisted completely of inert substances, that is to say, substances that do not prevent, destroy, repel, or mitigate insects when used in the method and manner as directed, and the name and percentage amount of each and every one of the said inert substances or ingredients so present therein were not stated plainly and correctly on each or any label borne on or affixed to the package containing the said article, together with the statement that they are inert substances.

On June 30, 1925, the defendant entered a plea of guilty to the information and the court imposed a fine of \$25 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1019. Adulteration and misbranding of "Potassium Cyanide" and "Cyanide-Chloride Mixture." U. S. v. 85 Pounds of "Potassium Cyanide" and 55 Pounds of "Cyanide-Chloride Mixture." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 1342. S. No. 163.)

On March 18, 1925, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, praying condemnation and forfeiture of 85 pounds of "Potassium Cyanide" and 55 pounds of "Cyanide-Chloride Mixture." It was alleged in the libel that the articles had been shipped on January 25, 1924, by Philip M. Caul & Co., Cleveland, Ohio, from the State of Ohio into the State of Pennsylvania, and that having been so transported they remained unsold at Philadelphia, Pa., and that they were adulterated and misbranded insecticides and fungicides within the meaning of the Insecticide Act of 1910.

Adulteration of the "Potassium Cyanide" was alleged in the libel for the reason that the statement, to wit, "Potassium Cyanide KcN 95.94," borne on the labels affixed to the packages containing the article, represented that its standard and quality were such that it contained potassium cyanide in the proportion of not less than 95.94 per cent; whereas its strength and purity fell below the professed standard and quality under which it was sold, in that it contained no potassium cyanide.

Adulteration was alleged for the further reason that the statement, to wit, "Potassium Cyanide KcN 95.94," borne on the said labels represented that the article contained potassium cyanide in the proportion of not less than 95.94 per cent; whereas it did not, but other substances, to wit, sodium cyanide, potassium chloride, and sodium carbonate, had been substituted for the said article.

Misbranding of the "Potassium Cyanide" was alleged for the reason that the statement, to wit, "Potassium Cyanide KcN 95.94," borne on the labels, was false and misleading, and by reason of the said statement the article was labeled and branded so as to deceive and mislead the purchaser in that it contained potassium cyanide in the proportion of not less than 95.94 per cent; whereas it contained no potassium cyanide, but consisted of sodium cyanide, potassium chloride and sodium carbonate.

Adulteration of the "Cyanide-Chloride Mixture" was alleged for the reason that the statement, to wit, "Cyanide-Chloride Mixture 73-76 %," borne on the labels affixed to the packages containing the article, represented that its standards and quality were such that it contained cyanogen equivalent to 73 to 76 per cent of potassium cyanide; whereas its strength and purity fell below the professed standard and quality under which it was sold, in that it contained cyanogen in the form of sodium cyanide equivalent to less than 73 to 76 per cent potassium cyanide.

Adulteration was alleged for the further reason that the statement, to wit, "Cyanide-Chloride Mixture 73-76 %," borne on the said labels, represented that the article contained cyanogen equivalent to 73 to 76 per cent potassium cyanide; whereas sodium chloride had been substituted in part for cyanide-chloride mixture containing cyanogen equivalent to 73 to 76 per cent potassium cyanide.

Misbranding of the "Cyanide-Chloride Mixture" was alleged for the reason that the statement, to wit, "Cyanide-Chloride Mixture 73-76 %," borne on the labels, was false and misleading, and by reason of the said statement the article was labeled and branded so as to deceive and mislead the pur-

chaser, in that it represented that the article contained cyanogen equivalent to 73 to 76 per cent potassium cyanide; whereas it did not contain cyanogen equivalent to 73 to 76 per cent potassium cyanide but did contain cyanogen in the form of sodium cyanide equivalent to less than 73 to 76 per cent potassium cyanide.

Misbranding was alleged with respect to both products for the reason that they consisted partially of inert substances or ingredients, to wit, substances that do not prevent, destroy, repel, or mitigate insects or fungi, and the names and percentage amounts of each of the inert substances or ingredients so present therein were not stated plainly and correctly on the labels affixed to the packages containing the respective articles; nor, in lieu thereof, were the names and percentage amounts of each substance or ingredient of the articles having insecticidal or fungicidal properties, and the total percentages of the inert substances or ingredients so present therein stated plainly and correctly on the said labels.

On April 24, 1925, no claimant having appeared for the property, judgement of condemnation and forfeiture was entered and it was ordered by the court that the products be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1020. Misbranding of "S-O-S Insect Exterminator." U. S. v. W. T. Johns (Texas Chemical & Specialty Co.). Plea of guilty. Fine, \$25. (I. & F. No. 1328. Dom. No. 18349.)

On March 3, 1925, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against W. T. Johns, trading as the Texas Chemical & Specialty Co., Fort Worth, Tex., alleging shipment by said defendant, in violation of the Insecticide Act of 1910, on or about November 27, 1922, from the State of Texas into the State of Missouri, of a quantity of "S-O-S Insect Exterminator," which was a misbranded insecticide and fungicide within the meaning of said act.

Misbranding of the article was alleged in the information for the reason that the following statements, "S-O-S Insect Exterminator Kills All Insects Almost Instantly * * * This product is the most powerful Insecticide, exterminating all kinds of insects, such as * * * mites, * * * blue bugs, etc. * * * For Moths, spray in closet or lightly on clothing, carpets, rugs and upholstering * * * For Lice * * * Mites, Blue-Bugs and Ticks on Poultry and Stock, spray freely into the feathers or hair. Also spray freely into and around their sleeping quarters. * * * This product is the most powerful Insecticide, exterminating all kinds of insects in grain, such as Angoumois Moth, Weevil and other pests in grain and about Elevators, Warehouses, etc. DIRECTIONS FOR USE Treating Grain—Spray this Liquid in the air over and about the grain and if necessary lightly upon the surface of the grain. Then close the doors of the car, bin or warehouse for a while, if possible. Treating Flour and Cereals in Sacks—Spray about the sacks and if necessary very lightly upon the sacks. Treating Flour in Bulk—Spray in the air over same but do not wet the flour with the liquid. It is not advisable to wet flour with any chemical. Fumigating Mills, Warehouses, etc.—Spray this liquid in the air and into the cracks and crevices about the floors and walls and behind boxes and about the bins and every place possible throuth the mill or warehouse. This treatment should be repeated occasionally to keep the insects exterminated and at the same time kill the germs and bad odors * * * and keep the place in a more sanitary condition generally * * * S-O-S * * * is unequaled as a Deodorizer," borne on the labels affixed to the cans containing the said article, and certain statements contained in a circular and in certain copies of letters, accompanying the article, were false and misleading, and by reason of the above-quoted statements and the statements in the said circulars and copies of letters the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article, when used as directed, would be an effective remedy against, and would exterminate all insects, all kinds of insects such as mites, blue bugs, and all insects that might be included under the abbreviation, etc.; would be an effective remedy against moths, mites, blue bugs, and poultry ticks on poultry; would be effective against lice and all insects indicated by the term "blue-bugs" on stock, all types and varieties of mites, and ticks that infest or attack stock; and would be effective against and would exterminate the angoumois

moth, all weevils, and all other pests in grain and about elevators, warehouses, etc.; would be effective against all insects that infest grain; would kill all germs and would destroy all bad odors in mills, warehouses, etc; would kill germs in homes, restaurants, offices, business houses, city halls, court-houses, schools, jails, and other places; would be effective against all kinds of bugs and moths in grain; would be an effective remedy against weevil; that the said article was unequaled as a deodorizer; that it was liquid gas, was noninflammable, was a germicide and deodorant; that it was the greatest deodorant ever known, and that its use around the home would protect the family against dengue fever, yellow fever, influenza, and many other dreaded diseases; whereas the said article, when used as directed, would not be effective for the purposes above set forth, it was not unequaled as a deodorizer, it was not liquid gas, it was not noninflammable, was not a germicide and deodorant, and was not the greatest deodorant ever known, and its use around the home would not protect the family against dengue fever, yellow fever, influenza, and many other dreaded diseases.

On April 14, 1925, the defendant entered a plea of guilty to the information and the court imposed a fine of \$25.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1021. Adulteration and misbranding of "International Germ Destroyer." U. S. v. International Chemical Co. Plea of guilty. Fine, \$25 and costs. (I. & F. No. 1322. Dom. No. 19706.)

On February 5, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the International Chemical Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about May 14, 1924, from the State of Illinois into the State of Michigan, of a quantity of "International Germ Destroyer," which was an adulterated and misbranded fungicide, within the meaning of said act.

Adulteration of the article was alleged in the information for the reason that the statements, to wit, "Formaldehyde 70 per cent. Inert Matter 30 per cent," borne on the labels affixed to the packages containing the article, represented that its standard and quality were such that it contained not less than 70 per cent of formaldehyde and not more than 30 per cent of inert matter, namely, substances that do not prevent, destroy, repel, or mitigate fungi; whereas the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it contained less than 70 per cent of formaldehyde and more than 30 per cent of inert matter.

Misbranding was alleged for the reason that the statements, to wit, "Formaldehyde 70 per cent. Inert Matter 30 per cent," borne on the said labels were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article contained not less than 70 per cent of formaldehyde and not more than 30 per cent of inert matter; whereas the said article contained less than 70 per cent of formaldehyde and more than 30 per cent of inert matter.

On March 2, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1022. Adulteration and misbranding of "No. 1 Fish Oil Soap." U. S. v. James Good, Inc. Plea of guilty. Fine, \$10. (I. & F. No. 1321. Dom. No. 19765.)

On January 7, 1925, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against James Good, Inc., Philadelphia, Pa., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about April 2, 1924, from the State of Pennsylvania into the State of Maryland, of a quantity of "No. 1 Fish Oil Soap," which was an adulterated and misbranded insecticide within the meaning of said act.

Adulteration of the article was alleged in the information for the reason that the statements, to wit, "Active Ingredients, Dry Fish Oil Soap, 64.45%

Inert Ingredients, moisture, 35.55%," borne on the labels affixed to the cans containing the article, represented that its standard and quality were such that it contained active ingredients, namely, substances that prevent, destroy, repel, or mitigate insects, in the proportion of not less than 64.45 per cent, and contained inert ingredients, namely, substances that do not prevent, destroy, repel, or mitigate insects, in the proportion of not more than 35.55 per cent; whereas the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it contained active ingredients in a proportion less than declared on the labels and inert ingredients in a proportion greater than so declared.

Misbranding was alleged for the reason that the above-quoted statements borne on the labels were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article contained active ingredients in the proportion of not less than 64.45 per cent and inert ingredients in the proportion of not more than 35.55 per cent; whereas the said article contained active ingredients in a proportion less than declared on the labels and inert ingredients in a proportion greater than so declared.

Misbranding was alleged for the further reason that the article consisted partially of an inert substance, or ingredient, to wit, water, and the name and percentage amount of the said inert substance or ingredient so present therein were not stated plainly and correctly on the labels affixed to the cans containing the article: nor, in lieu thereof, were the name and percentage amount of each and every substance or ingredient of the article having insecticidal properties and the total percentage of the inert substance or ingredient so present therein stated plainly and correctly on the said labels.

On March 18, 1925, a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$10.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1023. Adulteration and misbranding of "Coal Tar Disinfectant." U. S. v. Ernst Zobel Co., Inc. Plea of guilty. Fine, \$50. (I. & F. No. 1319. Dom. No. 19572.)

On January 27, 1925, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the Ernst Zobel Co., Inc., Brooklyn, N. Y., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about April 21, 1924, from the State of New York into the State of Connecticut, of a quantity of "Coal Tar Disinfectant," which was an adulterated and misbranded fungicide within the meaning of said act.

Adulteration of the article was alleged in the information for the reason that the statement, to wit, "Inert Matter Water Less than 10 percent," borne on the barrels containing the said article, represented that its standard and quality were such that it contained water in the proportion of not more than 10 per cent; whereas its strength and purity fell below the said professed standard and quality in that it contained water in a proportion greater than 10 per cent.

Misbranding was alleged for the reason that the statement, to wit, "Inert Matter Water Less than 10 per cent," borne on said barrels was false and misleading, and by reason of the said statement the article was labeled so as to deceive and mislead the purchaser, in that it represented that the article contained water in the proportion of not more than 10 per cent; whereas it contained water in a proportion greater than 10 per cent.

On February 2, 1925, a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$50.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1024. Misbranding of "Hart's Rid-O-Lice Tablets." U. S. v. 48 Packages of "Hart's Rid-O-Lice Tablets." Default decree of condemnation, forfeiture, and Destruction. (I. & F. No. 1315. S. No. 159.)

On October 22, 1924, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 48 packages of "Hart's Rid-O-Lice Tablets." It was alleged in the libel that the article had been shipped on or about June 12, 1924, by Arehart & Co., Stickney, S. Dak., from the State of South Dakota into the State of Washington, and that having been so transported it remained unsold.

in the original unbroken packages at Spokane, Wash., and that it was a misbranded insecticide within the meaning of the Insecticide Act of 1910.

Misbranding of the article was alleged in the libel for the reason that the statements, to wit, "Hart's Rid-O-Lice Tablets Recommended to Rid Lice and Mites from Poultry. * * * Recommendations from many poultry raisers and complete directions for their use enclosed for lice * * * Rid-O-Lice Tablets Must be given to all poultry in their drinking water according to enclosed directions. When they drink this Rid-O-Lice water it quickly generates a Gas which is expelled through their skin that is guaranteed to drive all Lice and Mites from their body." borne on the labels affixed to the packages containing the said article, and the statements, to wit, "Rid-O-Lice Tablets Makes Healthy Poultry. Instructions for using Rid-O-Lice Tablets. First, we do not claim Rid-O-Lice Tablets to be a 'Cure All' for every poultry ailment but when used according to directions we know, and hundreds of poultry raisers will also testify, that our product will quickly rid your poultry of all lice and mites. * * * Rid-O-Lice Tablets are composed of various substances, when placed into the drinking water are taken into the blood of the fowl and thereby undergo a chemical change which forms a peculiar gas. This gas leaves the fowl's system through the lungs, the glands of the skin and their body excretions. Through these skin oil glands the gas comes into contact with any lice and mites on their body. This gas called Hydrogen Sulphide, which is generated with Rid-O-Lice Tablets, is absolutely harmless to humans, horses, dogs, etc., but to lice and mites the gas is unbearable. They can not remain on a fowl whose body is constantly throwing off this gas, Hydrogen Sulphide. * * * Directions: For very lousy fowls place three Rid-O-Lice Tablets in each quart of clear drinking water until the flock starts to appear more healthy and 'Peppy', or until all lice vanish * * * Rid-O-Lice Tablets are also a great preventative and in many cases have cured certain forms of White Diarrhea, * * * If your flock has cholera be sure to use Rid-O-Lice Tablets. * * * Rid-O-Lice Tablets also contain ingredients which act as a quick preventative for White Diarrhoea, * * * For White Diarrhoea and Tonic use about four Rid-O-Lice Tablets to each gallon of water, reducing the solution when they appear healthy again. * * * Fowls must drink Rid-O-Lice water, otherwise they cannot be expected to do what we claim. * * * Rid-O-Lice Tablets * * * They are the greatest poultry remedy on the market." borne on the circulars shipped with the article, were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the said article, when used as directed, would be an effective remedy against lice and mites on poultry, would make poultry healthy in all cases and under all conditions, would be a great preventative and would cure certain forms of white diarrhea, would be an effective treatment for cholera, that hydrogen sulphide gas is absolutely harmless to human beings, horses, dogs, etc., that it would act as a quick preventative of white diarrhea, would be effective in the treatment of white diarrhea and that chicks suffering from white diarrhea would be made to appear healthy, and that the article was the greatest poultry remedy on the market; whereas the said article, when used as directed, would not be an effective remedy against lice and mites on poultry, would not make poultry healthy in all cases and under all conditions, would not be a great preventative, and would not cure certain forms of white diarrhea; it would not be an effective treatment for cholera; hydrogen sulphide gas is not absolutely harmless to human beings, horses, dogs, etc.; it would not act as a quick preventative of white diarrhea, would not be effective in the treatment of white diarrhea, and chicks suffering from white diarrhea would not be made to appear healthy, and the said article was not the greatest poultry remedy on the market.

Misbranding was alleged for the further reason that the article consisted completely of inert ingredients, that is to say, substances that do not prevent, destroy, repel, or mitigate insects, and the name and percentage amount of each and every one of the said inert substances or ingredients so present therein were not stated plainly and correctly, or at all, on each or any label borne on or affixed to the packages containing the article.

On June 15, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be destroyed by the United States Marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

1025. Adulteration and misbranding of "BFDCO Lice Powder." U. S. v. Blumauer-Frank Drug Co. Plea of guilty. Fine, \$150. (I. & F. No. 1303. Dom. No. 19252.)

On December 15, 1924, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said District an information against the Blumauer-Frank Drug Co., a corporation, Portland, Oreg., alleging shipment by said company, in violation of the Insecticide Act of 1910, on or about June 28, 1923, from the State of Oregon into the State of Idaho, of a quantity of "BFDCO Lice Powder," which was an adulterated and misbranded insecticide within the meaning of said act.

Adulteration of the article was alleged in the information for the reason that the statements, to wit, "Contains Nicotine (In Tobacco Dust) $\frac{1}{8}\%$ Sulphur 10%; Napthalin [naphthalene] 25%; Inert Matter 59 $\frac{1}{8}\%$," borne on the labels affixed to the cartons containing the said article, purported that its standard and quality were such that it contained not less than $\frac{1}{8}$ of 1 per cent of nicotine, not less than 10 per cent of sulphur, and not less than 25 per cent of naphthalene, and contained inert matter, namely, substances that do not prevent, destroy, repel, or mitigate insects, in the proportion of not more than 59 $\frac{1}{8}$ per cent; whereas its strength and purity fell below the professed standard and quality under which it was sold, in that it contained less nicotine, less sulphur, less naphthalene, and more inert matter than declared in the labels.

Misbranding was alleged for the reason that the above-quoted statements borne on the labels were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article contained not less than $\frac{1}{8}$ of 1 per cent of nicotine, not less than 10 per cent of sulphur, not less than 25 per cent of naphthalene, and not more than 59 $\frac{1}{8}$ per cent of inert matter; whereas the said article contained less nicotine, less sulphur, less naphthalene, and more inert matter than declared.

Misbranding was alleged for the further reason that the statements, to wit, "For Removing Many Forms of * * * Mites From Poultry * * * Chickens, Ducks * * * if mites get into the flock use at once B. F. D. Co's. Lice Powder to arrest the pest * * * For Horses, Cattle, Sheep and other animals, dust them well with the Lice Powder and brush it in as much as possible * * *," borne on the labels, were false and misleading, and by reason of the said statements the article was labeled so as to deceive and mislead the purchaser, in that they represented that the article, when used as directed, would be an effective remedy against mites that infest poultry and would be effective in the control of lice on horses, cattle, sheep, and other animals, whereas the said article, when used as directed, would not be effective for the said purposes.

On June 15, 1925, a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$150.

R. W. DUNLAP, Acting Secretary of Agriculture.



